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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,672	03/09/2001	Hiroki Sugiyama	1035-310	4119

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EXAMINER

VU, KJEU D

ART UNIT	PAPER NUMBER
2173	7

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/801,672

**Applicant(s)**

SUGIYAMA ET AL.

**Examiner**

Kieu D Vu

**Art Unit**

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 and 32 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-7, 12-22, 27-30 and 32 is/are rejected.  
7) ☒ Claim(s) 8-11 and 23-26 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This Action is responsive to the Amendment filed 12/23/03.
2. Claims 1-30 and 32 are pending.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 30 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter since claim 30 claims "A storage medium" per se and does not positively recite that the storage medium is computer readable. As such, the claimed invention is not directed to a machine readable medium or a manufacturer article.

5. Claim 32 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter since claim 32 claims "A computer propagated signal" per se. As such, the claimed invention is not directed to a machine readable medium or a manufacturer article.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-7, 12-22, 27-30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al ("Brown", USP 6356908) and Carpenter et al ("Carpenter", USP 5754174).

Regarding claim 1, Brown teaches image information processing device, comprising display a means (fig. 2); an image information storage (col 6, lines 23-27); a first display area (the left area of the window in Fig. 14) and a second display area (the right area of the window in Fig. 14) on the display; display control controller for causing first information (textual information in the left area) and second information of a plurality of sets of image information (thumbnails in the right area) stored in an image information storage region in the image information storage to be displayed in the first and second display areas respectively (Fig. 14 and col 8, lines 60-64). Brown does not teach the change in the display order of the first and the second information. However, such feature is known in the art as taught by Carpenter. Carpenter teaches a system for individually configurable panel interfaces which comprises the change in order of the displays of panel interfaces when the corresponding listing in the configuration menu changes (col 2, lines 4-10; Figures 9-10). It would have been obvious to one of ordinary skill in the art, having the teaching of Brown and Carpenter before him at the time the invention was made, to modify the image information processing device taught by Brown to include the change in display order taught by Carpenter with the motivation being to present information and images in different display orders.

Regarding claims 2, 17, 30, and 32, Brown teaches an image information processing device, comprising a display (fig. 2); an image information storage (col 6, lines 23-27); a display controller for causing the display means to display sets of

detailed information (the left area of window in Fig. 14) and identifier images (thumbnails in the right area of window in Fig. 14) (Fig. 14 and col 8, lines 60-64). Brown does not teach the change in the display order of the detail information and the identifier images. However, such feature is known in the art as taught by Carpenter. Carpenter teaches a system for individually configurable panel interfaces which comprises the change in order of the displays of panel interfaces when the corresponding listing in the configuration menu changes (col 2, lines 4-10; Figures 9-10). It would have been obvious to one of ordinary skill in the art, having the teaching of Brown and Carpenter before him at the time the invention was made, to modify the image information processing device taught by Brown to include the change in display order taught by Carpenter with the motivation being to present information and images in different display orders.

Regarding claims 3 and 18, Carpenter teaches a common display order between the detailed information and the identifier images (Fig. 9) and the change in the display order (Fig. 10).

Regarding claims 4 and 19, Brown teaches that the detailed information includes a plurality of items about this information (URL address, page size, language). Carpenter teaches the rearranging the display order of the sets of detailed information on the display screen of the display means (Figures 9-10).

Regarding claims 5 and 20, Brown teaches the extracting at least one of the identifier images according to an input from the input means and causing the display means to display the extracted identifier image (steps 625, 630, and 635 in Figure 6).

Regarding claims 6 and 21, Brown teaches means for enabling the detailed information displayed by the display control means to be selected by means of the input means (col 5, lines 8-9).

Regarding claims 7 and 22, Brown teaches search means for extracting at least one of the identifier images according to search conditions entered through the input means (col 5, lines 8-9, and Fig. 6).

Regarding claims 12,14, and 27, Brown teaches that the image information storage means has image information storage region (col 3, lines 12-13) and that causes the display in combination the sets of detailed information and identifier images (Figures 9-10 and 14).

Regarding claim 13, Brown teaches the displaying images in different colors (col 2, lines 60-63).

Regarding claims 15 and 28, Brown teaches that the detailed information (URL address, page size, language) to be displayed in a detailed information display area (left area) and the identifier images (thumbnails) to be displayed in an identifier image display area (right area, Fig. 14).

Regarding claims 16 and 29, Brown teaches that the identifier image is a scaled-down image of the image information (thumbnails of the pages).

8. Applicant's arguments filed 12/23/03 have been fully considered.

In response to Applicant's argument that "neither of the cited references disclose the two display areas defined in, for example, claims 2, 17, 30, and 32, wherein detailed information and identifier information is displayed and interlinked..." Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

In response to Applicant's argument that "none of cited references describe the feature of claim 4 and 19", it is noted that although Brown teaches manually performed order rearrangement, Brown's system enables the rearranging the display order.

In response to Applicant's argument that "none of the cited references describe the arrangement defined by claim 13, that is, displaying the identifiers images in different colors", it is noted that, in Carpenter, the digital clock face can be displayed using the first or the second color.

***Allowable Subject Matter***

9. Claims 8-11 and 23-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter:

The Examiner has The Examiner has carefully considered claims 8 and 23. None of the prior art of record fairly teaches or suggests the limitations "the display controller includes an extract display controller for extracting detailed information according to an

input from the input device, setting detailed information not extracted in this extract operation to a non-selectable state, and causing the display to effect a non-selectable display representing this state, the extract display controller causes the display to display the detailed information extracted, in such a manner that the detailed information extracted is visually more recognizable than the detailed information not extracted". These limitations define patentably over relevant prior art made of record.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).



Art Unit: 2173

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-872-9306


and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

04/02/04

  
RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173